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BEFORE

2017-134-C

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2017- -C

IN RE: Petition of the South Carolina Office of)
Regulatory Staff for the Commission to Order a) **PETITION OF THE SOUTH**
Rule to Show Cause as to Why the Certificates of) **CAROLINA OFFICE OF**
Public Convenience and Necessity for Certain) **REGULATORY STAFF FOR**
Providers of the Telecommunications Services) **A RULE TO SHOW CAUSE**
Should Not Be Revoked)

The South Carolina Office of Regulatory Staff ("ORS"), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina ("Commission") that:

1. The Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina. Further, the Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. § 58-9-10 et seq. (Supp. 2014).

2. ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. § 58-4-10, et seq. (Supp. 2014).

3. The Telecommunications Companies ("Companies") listed in Attachment A are certificated "telephone utilities" as defined in S.C. Code Ann. § 58-9-10(6) (1976) in that they are persons or corporations, their lessees, assignees, trustees, receivers or other successors in interest owning or operating in this State equipment or facilities for the transmission of intelligence by telephone for hire, including all things incident thereto and related to the operation of telephones. Attachment A also includes Wireless Carriers, which received ETC designation in South Carolina and agreed through a Stipulation to file certain reports with the Commission and/or Office of Regulatory Staff.

4. The Companies listed in Attachment A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. § 58-9-710 et seq. (Supp. 2014). Further, they have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity and/or having requested and received Eligible Telecommunications Designation in the State of South Carolina pursuant to federal and state requirements.

5. The Companies listed in Attachment A upon receiving their Certificates of Public Convenience and Necessity, were found to possess the technical, financial, and managerial resources sufficient to provide the services requested. S.C. Code Ann. § 58-9-280(B)(1) (Supp. 2014) and/or Eligible Telecommunications Carrier designation.

6. Pursuant to S.C. Code Ann. §§ 58-3-100, 58-3-540, 58-4-60, and 58-9-370 (Supp. 2014), the public utilities subject to the Commission's jurisdiction are assessed by the Department of Revenue based on amounts that are certified by the Commission, the review committee, and ORS to be assessed. ORS may require annual reports and special reports concerning any matter about which the ORS is authorized to inquire or keep itself informed or which it is required to enforce.

7. The Companies listed in Attachment A with an X listed in Column A have failed to submit the requisite gross receipts filings. The companies are required to submit their Gross Receipts form on August 31st annually.

8. ORS has the responsibility to ensure that telephone utilities are filing certain reports. "Subject to the approval of the Commission, the Office of Regulatory Staff may require any telephone utility to file annual reports in such form and of such content as the Office of Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or keep itself informed or which it is required to enforce." S.C. Code Ann. § 58-9-370(A) (Supp. 2014).

9. The Companies listed in Attachment A with an X listed in Column B have failed to submit the requisite 2015 Annual Telecommunications Report that was due on April 1, 2016.

10. The Universal Service Fund ("USF") is administered by the ORS under guidelines adopted by the Commission. S.C. Code Ann. § 58-9-280(E) (Supp. 2014).

11. The Commission USF guidelines approved in Order No. 2011-996, requires each carrier to file on an annual basis the information necessary to allow ORS to calculate the carrier's contribution. The annual filing is referred to as the Universal Service Fund Contribution Worksheet ("USF Worksheet").

12. The Companies listed in Attachment A with an X listed in Column C have failed to submit the requisite USF Worksheet that was due on August 1, 2016.

13. The information for the business entities listed in Attachment A to the Petition accurately reflects the information on file with the South Carolina Secretary of State. See Attachment B, Affidavit of James McDaniel.

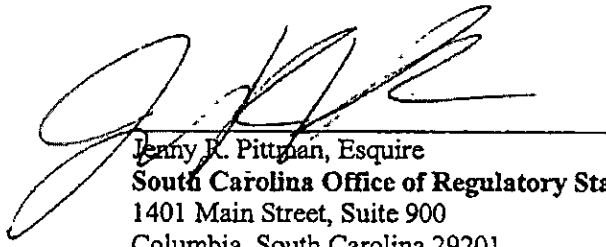
14. "Each telephone utility shall obey and comply with each and every requirement of every order, decision, direction, rule or regulation made or prescribed by the Commission and every direction, rule or regulation made or prescribed by the Office of Regulatory Staff in the performance ... or in relation to any other matter in any way relating to or affecting the business of such telephone utility and shall do everything necessary or proper in order to secure compliance with and observance of every such order, decision, direction, rule or regulation by all of its officers, agents and employees." S.C. Code Ann. § 58-9-390 (Supp. 2014).

15. Pursuant to S.C. Code Ann. § 58-9-1120 (Supp. 2014), "the Commission may ... conduct such other hearings as may be required in the administration of the powers and duties conferred by Articles 1 through 13 of this chapter and by other laws relating to telephone utilities."

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Enter an order establishing a Rule to Show Cause instituting a formal proceeding against the persons and business entities listed in Attachment A to this Petition.

2. For the persons and business entities listed in Attachment A pursuant to 10 S.C. Code Regs. 103-830 (Supp. 2014), cause a copy of this petition to be served upon such named respondents or other proper person or entity.
3. Require the parties to submit an Answer to this Petition within the deadlines prescribed by the Commission's rules and regulations.
4. Schedule and conduct a formal administrative hearing to address disputed issues of fact and law regarding the Certificate issued pursuant to S.C. Code Ann. § 58-9-820 (Supp. 2014) or the Eligible Telecommunications Carriers designation.
5. Find that the Companies listed in Attachment A have not complied with orders, decisions, directions, rules and regulations made or prescribed by the Commission.
6. Enter a final order canceling the Certificates or suspending the ETC designation of the carriers listed in the Attachment.
7. Take other appropriate action which the Commission may deem necessary.



Jenny R. Pittman, Esquire
South Carolina Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
Phone: (803) 737-0794
Email: jpittman@regstaff.sc.gov

April 27, 2017

Telephone Utilities that have not filed Gross Receipts Report, Annual Report, or SC USF Contribution Worksheet

(An X indicates the report was not received by the Office of Regulatory Staff)

| Company | Gross Receipts Form | Annual Report | USF Worksheet | Certificate Type | Address | Docket # | Order # | Entity Status | Agent |
|---|---------------------|---------------|---------------|------------------|---|------------|-----------|---------------|---|
| Access Communications, LLC | X | | X | CLEC & IXC | Mark Lammert Compliance Solutions, Inc. 242 Rangeline Road Longwood, FL 32750 | 2010-236-C | 2010-739 | Good Standing | CORPORATION SERVICE COMPANY 1703 LAUREL STREET COLUMBIA, South Carolina 29201 |
| AccessLine Communications Corporation d/b/a Voice Telco Services | | | X | IXC | Renee Underwood Regulatory Contact 3310 146th PL SE Bellevue, WA 98007 | 2005-163-C | 2005-554 | Good Standing | C T CORPORATION SYSTEM 2 OFFICE PARK COURT SUITE 103 COLUMBIA, South Carolina 29223 |
| American Phone Services, Corp. | | X | X | IXC | Riccardo Ferranti President 308 Maxwell Rd. Suite 100 Alpharetta, GA 30009-2062 | 2000-148-C | 2000-776 | Good Standing | NATIONAL REGISTERED AGENTS INC 2 OFFICE PARK CT STE 103 COLUMBIA, South Carolina 29223 |
| Coast International, Inc. | X | X | X | IXC | Charles Brenneman VP, 14303 West 95th Street Lenexa, KS 66215 | 1990-373-C | 1990-1057 | Forfeited | |
| Enhanced Communications Network, Inc. DBA Asian American Association Telecom Services | | | X | IXC | Thomas Haluskey 1031 South Glendora Ave West Covina, CA 91790 | 1998-621-C | 1999-361 | Good Standing | ARTHUR C PELZER 266 MEETING ST CHARLESTON, South Carolina 29401 |

Telephone Utilities that have not filed Gross Receipts Report, Annual Report, or SC USF Contribution Worksheet

(An X indicates the report was not received by the Office of Regulatory Staff)

| Company | Gross Receipts Form | Annual Report | USF Worksheet | Certificate Type | Address | Docket # | Order # | Entity Status | Agent |
|-----------------------------|---------------------|---------------|---------------|------------------|--|------------|----------|----------------------|--|
| ExteNet Systems, Inc. | | | X | CLEC & IXC | George Vinyard 3030 Warrenville Rd, Suite 340 Lisle, IL 60532 | 2012-207-C | 2012-718 | <i>Forfeited</i> | CORPORATION SERVICE COMPANY 1703 LAUREL STREET COLUMBIA, South Carolina 29201 |
| Navacore, LLC | | | X | CLEC & IXC | Thomas K. Gwyn PO Box 3413 Rock Hill, SC 29732 | 2006-111-C | 2006-468 | <i>Good Standing</i> | THOMAS K. GWYN 2354-B EBENEZER ROAD ROCK HILL, South Carolina 29732 |
| NECC Telecom, Inc. | X | | | IXC | Cheri Wall Regulatory Compliance c/o SRVR LLC 4969 US Hwy 42, Suite 2700 Louisville, KY 40222 | 2003-13-C | 2003-634 | <i>Forfeited</i> | Business Filings International, Inc. Office Park Court Suite 103 Columbia, South Carolina 29223 |
| Net One International, Inc. | X | X | X | IXC | Susan Cockerham Fas Tek Compliance Solutions 1725 Windward Concourse Suite 150 Alpharetta, GA 30005 | 1997-223-C | 1997-945 | <i>Good Standing</i> | INCORP SERVICES INC 317 RUTH VISTA ROAD LEXINGTON, South Carolina 29073 |
| River Bottom Ventures, LLC | X | | | PSP | 357 Cedar Creek Rd. Swansea, SC 29160 | 1985-150-C | 2002-206 | <i>Good Standing</i> | SUSAN DAVIS 357 CEDAR CREEK ROAD SWANSEA, South Carolina 29160 |

Telephone Utilities that have not filed Gross Receipts Report, Annual Report, or SC USF Contribution Worksheet

(An X indicates the report was not received by the Office of Regulatory Staff)

| Company | Gross Receipts Form | Annual Report | USF Worksheet | Certificate Type | Address | Docket # | Order # | Entity Status | Agent |
|--------------------------|---------------------|---------------|---------------|------------------|--|------------|----------|---------------|--|
| Pulse Telecom, LLC | X | | | IXC | 1415 W Cypress Creek Suite 300 Ft. Lauderdale, FL 33309 | 2008-399-C | 2009-98 | Good Standing | Business Filings International, Inc. Office Park Court Suite 103 Columbia, South Carolina 29223 |
| Telmex USA, LLC | | | X | IXC | Ovebimpe Ovwale-Smith Contract & Compliance Specialist 3350 SW 148th Ave, Suite 400 Miramar, FL 33027 | 2005-365-C | 2006-435 | Good Standing | CORPORATION SERVICE COMPANY 1703 LAUREL STREET COLUMBIA, South Carolina 29201 |
| Tempo Telecom, LLC (ETC) | | X | | WIRELESS ETC | Angela Hoke Manager-Legal & Regulatory 2323 Grand Blvd, Suite 925 Kansas City, MO 64108 | 2013-239-C | 2013-674 | Good Standing | CORPORATION SERVICE COMPANY 1703 LAUREL STREET COLUMBIA, South Carolina 29201 |

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. _____


April 27, 2017

IN RE: Petition of the Office of Regulatory)
Staff for the Commission to Order a)
Rule to Show Cause as to Why)
The Certificates of) AFFIDAVIT OF JAMES M. MCDANIEL
Public Convenience and)
Necessity for Certain Providers of)
Telecommunications Services)
Should Not be Revoked)

The Affiant, after having been first duly sworn, deposes and states as follows:

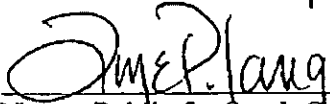
- 1) My name is James M. McDaniel and I am employed by the Office of Regulatory Staff ("ORS") as the Program Manager.
- 2) My office is located at 1401 Main Street, Columbia, South Carolina, 29201
- 3) I and/or personnel under my direction researched the South Carolina Secretary of State's website in order to determine the corporate status of the business entities listed in Attachment A of this petition.
- 4) I attest that, to the best of my knowledge, the corporate statuses of the business entities listed in Exhibit Attachment A are accurate.

AND FURTHER THE AFFIANT SAYETH NOT.



JAMES M. MCDANIEL
Program Manager
Telecommunications Area
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201

Sworn and subscribed before me
this 27 day of April, 2017



Notary Public for South Carolina

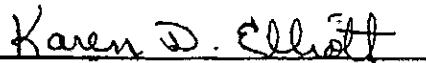
My Commission Expires: 01/05/2027

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2017- -C

IN RE: Petition of the South Carolina Office of)
Regulatory Staff for the Commission to Order)
a Rule to Show Cause as to Why the) **CERTIFICATE OF SERVICE**
Certificates of Public Convenience and)
Necessity for Certain Providers of the)
Telecommunications Services Should Not Be)
Revoked)

This is to certify that I, Karen D. Elliott, have this date served one (1) copy of the **ORS PETITION FOR A RULE TO SHOW CAUSE** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

[PLEASE FIND LIST OF PARTIES SERVED ON THE FOLLOWING PAGES]


Karen D. Elliott

April 27, 2017
Columbia, South Carolina

Corporation Service Company
1703 Laurel St.
Columbia, SC 29201

C T Corporation System
2 Office Park Court, Suite 103
Columbia, SC 29223

National Registered Agents, Inc.
2 Office Park Ct., Suite 103
Columbia, SC 29223

Charles Brenneman
VP – Coast International, Inc.
14303 West 95th St.
Lenexa, KS 66215

Arthur C. Pelzer
266 Meeting St.
Charleston, SC 29401

Thomas K. Gwyn
2354-B Ebenezer Rd.
Rock Hill, SC 29732

Business Filings International, Inc.
Office Park Court, Suite 103
Columbia, SC 29223

Incorp Services, Inc.
317 Ruth Vista Rd.
Lexington, SC 29073

Susan Davis
357 Cedar Creek Rd.
Swansea, SC 29160